

COPY

PATENT APPLICATION
DOCKET NO. T8275

DECLARATION, POWER OF ATTORNEY AND PETITION

We **Ai-Zhi Piao**, a citizen of China, residing at 330 East 700 South, Apartment L206, Salt Lake City, Utah 84111, and **Chung Shih**, a citizen of the United States, residing at 2798 East Amberwick Lane, Sandy, Utah 84093, (hereinafter referred to as "inventors") declare that we verily believe we are the original, first, and sole inventors of the subject matter of the invention or discovery entitled **"MIXTURES OF VARIOUS TRIBLOCK POLYESTER POLYETHYLENE GLYCOL COPOLYMERS HAVING IMPROVED GEL PROPERTIES"**, for which a patent is sought and which is described and claimed in the specification filed April 27, 2000, under Thorpe, North & Western Attorney Docket No. T8275; that we have reviewed and understand the contents of the above-identified specification, including the claims; and that we acknowledge the duty to disclose information which is material to the examination of the application in accordance with §1.56(a) of Title 37 of the Code of Federal Regulations.

We declare further that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

We hereby appoint as our attorneys and/or patent agents, **VAUGHN W. NORTH**, Registration No. 27,930; **M. WAYNE WESTERN**, Registration No. 22,788; **MICHAEL W. STARKWEATHER**, Registration No. 34,441; **CLIFTON W. THOMPSON**, Registration No. 36,947; **GARRON M. HOBSON**, Registration No. 41,073; **WEILI CHENG**, Registration No. 44,609; **DAVID R. MCKINNEY**, Registration No. 42,868; **STEVE M. PERRY**, Registration No. 45,357; **GARY OAKESON**, Registration No. 44,266, and **DAVID W. OSBORNE**, Registration No. 44,989, all with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

All correspondence and telephonic communications should be directed to:

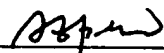
M. Wayne Western
Customer No. 20452

THORPE, NORTH & WESTERN, L.L.P.
P.O. Box 1219
Sandy, Utah 84091-1219
Telephone: (801) 566-6633
Facsimile: (801) 566-0750

Wherefore, we pray that Letters Patent be granted to us for the invention or discovery described and claimed in the foregoing specification and claims, declaration, power of attorney, and this petition.


Signed at SLC, UT, this 5 day of May, 2000.
(city) (state)

INVENTOR:


Ai-Zhi Piao

Signed at Salt Lake City, UT, this 5 day of May, 2000.
(city) (state)

INVENTOR:


Chung Shih

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**DECLARATION CLAIMING SMALL ENTITY STATUS
FOR A SMALL BUSINESS CONCERN**

I, James E. Herrin, hereby declare: that I am Executive Director, Corporate Development, of MACROMED, INC., a corporation of the State of Utah and having a principal place of business at 9520 South State Street, Sandy, Utah 84070; I am empowered to act on behalf of said corporation; and that said corporation qualifies as a small business concern as defined in 13 C.F.R. § 121.3-18 and 37 C.F.R. § 1.9(d), for purposes of paying reduced fees to the Patent and Trademark Office under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of said corporation, including those of its affiliates, does not exceed 500 persons. I understand that, for purposes of this declaration, (1) the number of employees is the average over the previous fiscal year of the number of persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and that (2) two business concerns are considered to be affiliates of each other when one business concern either directly or indirectly controls or has the power to control the other, or when a third party or parties control or have the power to control both business concerns.

I further declare that all rights, title, and interest relating to the invention entitled "MIXTURES OF VARIOUS TRIBLOCK POLYESTER POLYETHYLENE GLYCOL COPOLYMERS HAVING IMPROVED GEL PROPERTIES" invented by Ai-Zhi Piao, et al., as described in the patent application filed on April 27, 2000, and assigned Thorpe, North & Western Attorney Docket No. T8275, have been conveyed to and currently remain with said

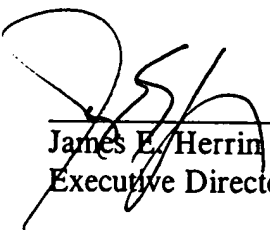
corporation.

I acknowledge the duty to file, in the above-mentioned application or any patent issued in respect thereof, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of (1) the issue fee or (2) any maintenance fee due after the date on which status as a small entity is no longer appropriate. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Signed at Salt Lake City, Utah, this 5th day of May, 2000.

MACROMED, INC.

By:


James E. Herrin
Executive Director, Corporate Development



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

NOVEMBER 09, 2000

PTAS

THORPE, NORTH & WESTERN, L.L.P.
M. WAYNE WESTERN
P.O. BOX 1219
SUITE 200
SANDY, UTAH 84091-1219



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UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT Thorpe, North & Western

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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 09/20/2000

REEL/FRAME: 011087/0808

NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

PIAO, AI-ZHI

DOC DATE: 05/05/2000

ASSIGNOR:

SHIH, CHUNG

DOC DATE: 05/05/2000

ASSIGNEE:

MACROMED, INC.
9520 SO. STATE STREET
SANDY, UTAH 84070

SERIAL NUMBER: 09559799

FILING DATE: 04/27/2000

PATENT NUMBER:

ISSUE DATE:

TARA WASHINGTON, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

09-25-2000

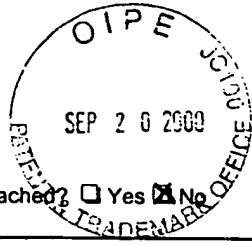


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9.2000

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Ai-Zhi Piao
Chung ShihAdditional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other _____Execution Date: May 5, 2000

2. Name and address of receiving party(ies)

Name: MacroMed, Inc.

Internal Address: _____

Street Address: 9520 So. State StreetSandy, Utah 84070

City: _____ State: _____ ZIP: _____

Additional Name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

09/559,799

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: M. Wayne WesternInternal Address: THORPE, NORTH & WESTERN, L.L.P.Street Address: P.O. Box 1219Suite 200City: Sandy State: Utah ZIP: 84091-1219

6. Total number of applications and patents involved:

7. Total fee (37 CFR 3.41).....\$ 40.00☒ Enclosed☒ Authorized to be charged to deposit account

8. Deposit account number:

20-0100 (Deficiencies only)

(Attach duplicate copy of this page if paying by deposit account)

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

M. Wayne Western

Name of Person Signing

Signature

9-18-00

Date

Total number of pages including cover sheet, attachments, and document: _____

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignments

THORPE, NORTH & WESTERN, L.L.P.
P.O. BOX 1219
SANDY, UTAH 84091-1219

ASSIGNMENT

WHEREAS, we, **Ai-Zhi Piao**, and **Chung Shih** residents of the state of Utah, have invented a certain new and useful improvement in a "**MIXTURES OF VARIOUS TRIBLOCK POLYESTER POLYETHYLENE GLYCOL COPOLYMERS HAVING IMPROVED GEL PROPERTIES**", for which an application for United States Letters Patent was filed on April 27, 2000, under Thorpe, North & Western Attorney Docket No. T8275; and

WHEREAS, the Assignee, **MACROMED, INC.**, a Utah corporation, having a business address of 9520 South State Street, Sandy, Utah 84070, desires to secure the entire right, title, and interest in said invention;

NOW THEREFORE, in consideration of One Dollar (\$1.00), and other good and valuable consideration paid to us by the Assignee, the receipt and sufficiency whereof is hereby acknowledged, **WE HEREBY ASSIGN TO THE ASSIGNEE:**

The entire right, title and interest in said invention in the above-identified United States patent application and in all divisions, continuations and continuations-in-part of said application, or reissues or extensions of Letters Patent or Patents granted thereon, and in all corresponding applications filed in countries foreign to the United States, and in all patents issuing thereon in the United States and foreign countries.

The right to file foreign patent applications on said invention in its own name, wherever such right may be legally exercised, including the right to claim the benefits of the International Convention for such applications.

We hereby authorize and request the United States Commissioner of Patents and Trademarks, and such Patent Office officials in foreign countries as are duly authorized by their patent laws to issue patents, to issue any and all patents on said invention to the Assignees as the owner of the

entire interest, for the sole use and behoof of the said Assignees, its successors, assigns and legal representatives.

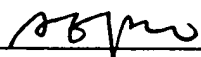
We hereby agree, without further consideration and without expense to us, to sign all lawful papers and to perform all other lawful acts which the Assignees may request of us to make this Assignment fully effective, including, by way of example but not of limitation, the following:

Prompt execution of all original, divisional, substitution, reissue, and other United States and foreign patent applications on said invention, and all lawful documents requested by the Assignees to further the prosecution of any of such patent applications.

Cooperation to the best of our ability in the execution of all lawful documents, the production of evidence, nullification, reissuing, extension, or infringement proceedings involving said invention.

This assignment and agreement shall be binding upon our heirs and legal representatives.

Dated this 5 day of May, 2000.



Ai-Zhi Piao
330 East 700 South, Apt. L206
Salt Lake City, Utah 84111

State of Utah)
 : ss.
County of Salt Lake)

On May 5th, 2000, before me personally appeared **Ai-Zhi Piao** known to me to be the person described and who signed the foregoing Assignment in my presence and

acknowledged under oath before me that she has read the same and knows the contents thereof and that she executed the same as her free act and deed and for the purposes set forth therein.

Sarah Nielson
NOTARY PUBLIC
Residing at SLC, UT

My Commission Expires:

11/27/00

Chung Shih
Chung Shih
2798 E. Amberwick Lane
Sandy, Utah 84093

State of Utah)
 : ss.
County of Salt Lake)

On 5 May, 2000, before me personally appeared **Chung Shih**, known to me to be the person described and who signed the foregoing Assignment in my presence and acknowledged under oath before me that he has read the same and knows the contents thereof and that he executed the same as his free act and deed and for the purposes set forth therein.

Sarah Nielson
NOTARY PUBLIC
Residing at SLC, UT

My Commission Expires:

11/27/00

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